

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ANEITA HENRY-LEE, individually and as the  
ADMINISTRATRIX of the Goods Chattels and  
Credits of PETER C. A. LEE, deceased,

Plaintiffs,

- against -

THE CITY OF NEW YORK, NEW YORK CITY  
POLICE DEPARTMENT, POLICE OFFICER JOHN  
BAUMEISTER (shield # 24846), POLICE OFFICER  
MICHAEL INGRAM (shield # 1727), KEVIN  
ROUGHNEEN (shield # 2942), JOHN DOE 1-10 (the  
fictitious names of persons yet to be identified), JMR  
REST CORP., d/b/a RORY DOLANS RESTAURANT  
BAR, CITY OF YONKERS and YONKERS POLICE  
DEPARTMENT,

Defendants.

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**NOTICE TO TAKE  
DEPOSITION UPON ORAL  
EXAMINATION OF PLAINTIFF**

Index No.: 08-cv-0089(DC)

Assigned to:  
Hon. Denny Chin

**PLEASE TAKE NOTICE**, that pursuant to Federal Rules of Civil Procedure, the defendant, **JMR REST CORP., d/b/a RORY DOLANS RESTAURANT BAR**, will take the testimony of plaintiff before a Notary Public as to all relevant facts and circumstances in connection with the cause of action and allegations herein including liability and damages, on the 2<sup>nd</sup> day of May, 2008 at 10:00 in the forenoon of that day at the law offices of **MARKS, O'NEILL, O'BRIEN & COURTNEY, P.C.**, 530 Saw Mill River Road, Elmsford, New York 10523.

**PLEASE TAKE FURTHER NOTICE**, that pursuant to the Federal Rules of Civil Procedure, the parties to be deposed are directed to produce at this examination, for the purpose of refreshing their recollections and for examinations, inspection and copying, all records, books,

photographs, documents, correspondence and other writings and papers in their possession or available to them, which relate to the matters herein on which the parties are to be examined under this notice.

Dated: Elmsford, New York  
April 2, 2008

By:

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James M. Skelly (JMS/4844)

**MARKS, O'NEILL, O'BRIEN  
& COURTNEY, P.C.**  
Attorneys for Defendant  
**JMR REST CORP., d/b/a RORY  
DOLANS RESTAURANT BAR**  
530 Saw Mill River Road  
Elmsford, New York 10523  
(914) 345-3701  
File No.: 495.81515

TO: **THE ADAM LAW OFFICE, P.C.**  
Attorneys for Plaintiffs  
**ANEITA HENRY-LEE, individually and as  
the ADMINISTRATRIX of the Goods Chattels  
and Credits of PETER C. A. LEE, deceased**  
275 Madison Avenue - Suite 1100  
New York, New York 10016  
(212) 661-8780

**MICHAEL A. CARDOZO, ESQ.  
CORPORATION COUNSEL**  
Attorneys for Defendants  
**THE CITY OF NEW YORK and NEW  
YORK CITY POLICE DEPARTMENT**  
100 Church Street  
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(212) 788-0499

**CORPORATION COUNSEL, CITY OF YONKERS**  
Attorneys for Defendants  
**CITY OF YONKERS and YONKERS POLICE DEPARTMENT**  
City Hall, 40 South Broadway  
Yonkers, New York 10701  
(914) 377-6256

**AFFIDAVIT OF SERVICE BY MAIL**

STATE OF NEW YORK )  
: ss:  
COUNTY OF WESTCHESTER )

MARTHA AGIS, being duly sworn, deposes and says: deponent is not a party to this action, is over 18 years of age and resides in Pearl River, New York.

On the \_\_\_\_\_ day of April, 2008, deponent served the within **NOTICE TO TAKE DEPOSITION UPON ORAL EXAMINATION OF PLAINTIFF**, upon the parties herein stated below, by depositing and mailing same in a sealed envelope, with postage prepaid thereon, in an official depository of the U.S. Postal Service within the State of New York, at the following addresses:

TO: THE ADAM LAW OFFICE, P.C.

Attorneys for Plaintiffs  
**ANEITA HENRY-LEE, individually and as  
the ADMINISTRATRIX of the Goods Chattels  
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Attorneys for Defendants  
**CITY OF YONKERS and YONKERS POLICE DEPARTMENT**  
City Hall, 40 South Broadway  
Yonkers, New York 10701  
(914) 377-6256

MARTHA AGIS

Sworn to before me on this  
day of April, 2008

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## NOTARY PUBLIC

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